

Water Advisory Council  
Friday, March 29, 2019  
8:00 a.m.  
Water Administration Building  
1900 Oak Industrial Drive

## AGENDA

1. Call to Order
  - a. Welcome and Thank You
  - b. Visitor Welcome/Comments
2. Approval of Minutes– none to approve
3. Motion to Approve Agenda
4. Public Comment on Agenda Items
5. Introductions
  - a. Verify contact information -ATTACHMENT A-
6. Open Meetings Act Requirements -ATTACHMENT B-
  - a. Overview
  - b. Discuss Frequency and Location of Meetings
  - c. Finalize Annual Meeting Schedule
7. Council Responsibilities
  - a. Review of State Council Responsibilities/ State Rules Requirements -ATTACHMENT C-
  - b. Review of Requirements for Local WAC -UAB Policy #19-01 -ATTACHMENT D-
  - c. Development of Council Objectives and Guidance Document
    - i. Vision Statement Development
8. Council Member Responsibilities
  - a. Attend all meetings or as frequent as possible

- b. Quarterly Progress Reports
- 9. Current Events
  - a. Overview of 2016 and earlier testing results –ATTACHMENT E-
  - b. 2019 LCR Testing
  - c. Overview of City’s LSLR Policy –ATTACHMENT F-
    - i. 2017 Lead Service Line Replacements –ATTACHMENT G-
    - ii. 2018 Lead Service Line Replacements -ATTACHMENT H-
    - iii. MDEQ grant
    - iv. 2019 Capital LSLR projects –ATTACHMENT I-
- 10. Future Discussion Topics
  - a. Affordability
  - b. Legionella Response Policy/Procedure
  - c. Emerging Contaminant Response Policy/Procedure (PFAS)
  - d. Awareness/Public Engagement and Education
- 11. Updates
  - a. State Advisory Documents –Deputy City Manager Eric DeLong-
  - b. GR Lead Task Force –Karyn Ferrick
  - c. Lead Discussion at the County Level –Paul Haan-
- 12. Chair/Vice Chair
  - a. Discussion and nomination
- 13. Items from Members
- 14. Next Meeting –TBD
- 15. Motion to Adjournment

## ATTACHMENT A

Members	Organization	Email
Doug La Fave	City of East GR	dlafave@eastgr.org
Sara Simmonds	Kent County Health Department	<a href="mailto:sara.simmonds@kentcountymtmi.gov">sara.simmonds@kentcountymtmi.gov</a>
Tom Almonte	City of GR	<a href="mailto:talmonte@grcity.us">talmonte@grcity.us</a>
Mike Grenier	City of GR	<a href="mailto:mngrenier@grcity.us">mngrenier@grcity.us</a>
Paul Haan	Healthy Homes Coalition	paul@healthyhomescoalition.org
Wayne Jernberg	City of GR	<a href="mailto:wjernberg@grcity.us">wjernberg@grcity.us</a>
George Haga	Ada Township	ghaga@adatownshipmi.com
Amy Brower	Roosevelt Park Neighborhood Association	<a href="mailto:amy@rooseveltparkna.org">amy@rooseveltparkna.org</a>
Taylor Devota	Citizen	tadevota@gmail.com

# ATTACHMENT B

## OPEN MEETINGS ACT BASICS

The purpose of the Open Meetings Act is to promote transparency in government by allowing citizens access to the deliberation and decision-making of a public body.

### Definitions:

“Meeting” is any gathering of a quorum of the members of a public body for either the purpose of

- (1) deliberating toward a decision on a public policy; or
- (2) rendering a decision on public policy.

“Quorum” is the number of members of your board or committee required to be present to conduct official business

“Decision” is a determination, action, or vote on a motion, proposal, or recommendations that requires the vote of the members of the public body and that has the effect of setting or formulating public policy

**Summary of the OMA:** Any time your board holds a “meeting” with a quorum present, the meeting must be open to the public and meet the other requirements of the OMA.

### Open Meetings Act MUSTS:

- You **MUST** allow anyone to attend your meetings. While present a person may record audio and video of the meeting, broadcast the meeting.
- You **MUST** make any “decision” in a meeting open to the public
- You **MUST** post a notice in City Hall of all your regular meetings within ten days of a new calendar year; a change in schedule must be posted within 3 days of making the change
- You **MUST** give at least 18-hours’ notice of a rescheduled regular meeting or a special meeting
- You **MUST** keep minutes of each meeting
- You **MAY** gather socially or by chance as a group, as long as you do not discuss matters pending before your board.

### Open Meetings Acts MUST NOTS:

- You **MUST NOT** require people to register, sign in, or fulfill any other condition to attend the meeting
- You **MUST NOT** exclude anyone from the meeting, except for disorderly conduct that actually occurs at the meeting
- You **MUST NOT** engage in substantive discussions about matters pending before your board over e-mail, social media, or other virtual means
- You **MUST NOT** form subcommittees where matters pending before your board are discussed for the purpose of making recommendations to the whole board **UNLESS** the subcommittee meets in an open meeting

Real-life examples and counter-examples follow on the next page.



## ATTACHMENT C

Excerpt from State of Michigan Lead and Copper Rule (pages 75 and 76)

**(i) The statewide council shall do the following:**

*(i) Develop plans for continuing public awareness about lead in drinking water.*

*(ii) In consultation with the department, the department of health and human services, or any other relevant state agency, generate public awareness campaign materials about lead to be distributed by water supplies.*

*(iii) Assist in promoting the transparency of data and documents related to lead in drinking water within the state.*

*(iv) Advise and consult with the water supply advisory councils defined in R 325.10410(7) on the development of appropriate plans for remediation and public education to be implemented if the lead action level is exceeded. Develop appropriate recommendations for notifying the public and minimizing risk of lead exposure during construction activities in proximity to lead service lines.*

*(v) Provide advice, direction, and assistance on lead or other drinking quality issues as needed to individual water supplies and their advisory councils, as well as to water supplies that are not required to have advisory councils.*

**(7) Each water supply that serves a population of 50,000 or more, and each consecutive water system that serves a population of 50,000 or more, shall create a water system advisory council. Councils shall operate as follows:**

*(a) A council shall consist of at least 5 members, appointed by the community supply. To be eligible for appointment to the council, an individual shall have a demonstrated interest in or knowledge about lead in drinking water and its effects. At least one member must be a local resident who does not formally represent the interests of any incorporated organization.*

*(b) The members first appointed to a council shall be appointed within 180 days after the effective date of this rule.*

*(c) The business that the council may perform shall be conducted at a public meeting of the council and held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.*

*(d) The first meeting of a council shall be called by the water supply. At the first meeting, the council shall elect from its members a chairperson and other officers as it considers necessary or appropriate. After the first meeting, the council shall meet at least annually.*

*(e) A writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.*

**(f) The council shall do the following:**

*(i) Develop plans for continuing public awareness about lead in drinking water, even when the action level is not exceeded.*

*(ii) Review public awareness campaign materials provided by the statewide drinking water advisory council to ensure the needs and interests of the community,*

*considering the economic and cultural diversity of its residents, are addressed.*

*(iii) Advise and consult with the water supply on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded.*

*(iv) Advise and consult with the water supply on efforts to replace private lead service lines at locations where the owner declined service line replacement.*

*(v) Assist in promoting transparency of all data and documents related to lead in drinking water within the water supply service area.*

*(vi) Collaborate with local community groups to ensure that residents have the opportunity to be involved in efforts to educate the community about lead in drinking water.*

*(g) A water system advisory council may independently seek advice, direction, and Assistance from the department or the statewide advisory council.*

[http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1684\\_2017-008EQ\\_AdminCode.pdf](http://dmbinternet.state.mi.us/DMB/ORRDocs/AdminCode/1684_2017-008EQ_AdminCode.pdf)

## ATTACHMENT D

### Water System Advisory Council

The Grand Rapids Water System (water supply) is establishing a Water System Advisory Council (Council) as required by the new state standard for the federal Lead and Copper Rule. Per the 2018 revision to the State of Michigan's Lead and Copper Rule, "Water Systems that serve a population of 50,000 or more, shall create a Water System Advisory Council". The Council shall operate as followed:

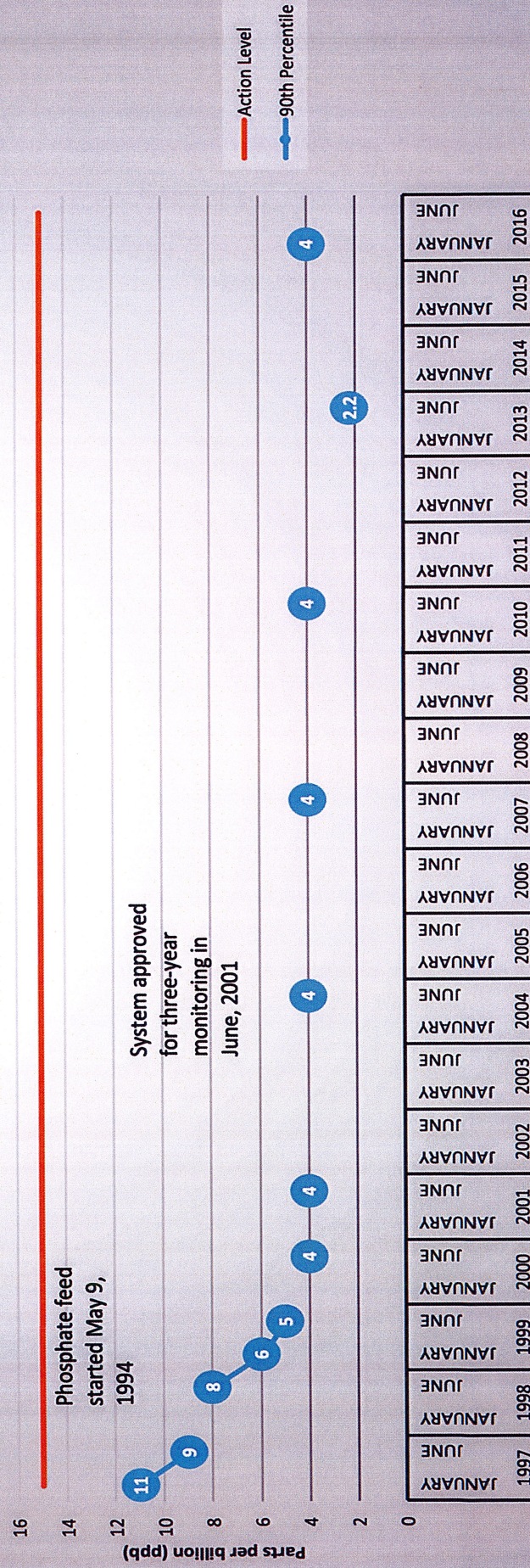
- a) The Council shall consist of at least 9 members, recommended by the Utility Advisory Board and approved by the Grand Rapids City Commission. To be eligible for appointment to the council, an individual shall have an interest in or knowledge about lead in drinking water and its effects. Membership shall consist of the following:
  - a. A local resident who does not formally represent the interest of any incorporated organization.
  - b. A representative from the Kent County Health Department or Michigan Department of Environmental Quality
  - c. Three (3) representatives from the City of Grand Rapids
  - d. A representative from the wholesale community of East Grand Rapids
  - e. A representative from the wholesale community of Ada Township
  - f. A representative from a Grand Rapids Neighborhood Association
  - g. A representative from the Grand Rapids Lead Free Task Force
- b) The business that the council performs shall be conducted at a public meeting of the council and held in compliance with the open meetings act, 1976 PA 267, MCL 15.26 to 15.275.
- c) The first meeting of a council shall be called by the water supply. At the first meeting, the council shall elect from its members a chairperson and other officers as it considers necessary.
- d) Council members shall serve 3 year terms with no term limits. After the first meeting, the council shall meet at least annually.
- e) The Council must include a member from each consecutive water supply served that is responsible for reporting out and complying with the State of Michigan's Lead and Copper Rule.
- f) Writing prepared, owned, used, in the possession of, or retained by the council in the performance of an official function is subject to the freedom of information act, 196 PA 442, MCL 15.231 to 15.246.
- g) The Council may independently seek advice, direction, and assistance from the department or the statewide advisory council.
- h) The Council will go into effect immediately after both the appointments are made by the Utility Advisory Board and the Grand Rapids City Commission approves of the appointments.

- i) The council shall do the following:
  - i. Develop plans for continuing public awareness about lead in drinking water, even when the action level is not exceeded.
  - ii. Review public awareness campaign materials provided by the statewide drinking water advisory council to ensure the needs and interests of the community, considering the economic and cultural diversity of its residents, are addressed.
  - iii. Advise and consult with the water supply on the development of appropriate plans for remediation and public education to be implemented if a lead action level is exceeded.
  - iv. Advise and consult with the water supply on efforts to replace private lead service lines at locations where the owner declines a lead service line replacement.
  - v. Assist in promoting transparency of all data and documents related to lead in drinking water within the water supply service area.
  - vi. Collaborate with local community groups to ensure that residents have the opportunity to be involved in efforts to educate the community about lead in drinking water.



# ATTACHMENT E

## Grand Rapids Water 90th Percentile Testing Results





## ATTACHMENT F



# CITY OF GRAND RAPIDS ADMINISTRATIVE POLICY

NUMBER: 17-01	DATE: March 28, 2017
REVISIONS:	
ISSUED BY: City Manager	SIGNED: <i>Gregory A. Sundstrom</i>

**SUBJECT:** Replacement of Residential Privately-owned Lead Water Service Line

**PURPOSE:** To provide for the replacement of the residential privately owned portion of a lead water service line whenever (i) a leak or failure has been discovered on either the privately owned or Water Supply System ("WSS") owned portion of the service or (ii) the WSS owned portion of the service line is replaced on either a planned or emergency basis.

### INTRODUCTION:

A review of scientific and professional resource materials supports the conclusion that partial lead water service line replacement of the publicly owned portion could cause harm that may not occur if there were a full lead water service line replacement.

A September 2011, cover letter to the United States Environmental Protection Agency ("EPA") Administrator accompanying a report of the Drinking Water Committee of EPA's Science Advisory Board states in part: "The weight of evidence indicates that partial lead water service line replacement often causes tap water lead levels to increase significantly for a period of days to weeks, or even several months." The letter further states that full lead water service line replacement "appears generally effective in reliably achieving long-term reductions in drinking water lead levels, unlike partial lead water service line replacement" and, in summary, states that . . . "the Science Advisory Board found that available information is broadly suggestive that partial lead water service line replacement may pose a risk to the population, due to the short-term elevations in drinking water lead concentrations."

This Administrative Policy is used pursuant to Section 2.23, Management of Water System, of Article 2, Water System Use, of Chapter 26, City Water System of Title II, Utilities and Services, of the Code of Ordinances of the City.

## **DEFINITIONS:**

“Lead water service line” means a water service made of lead which connects the WSS water main to the building inlet and any lead pigtail, gooseneck or other fitting which is connected to such lead water service line.

“Privately-owned portion of a lead water service line” means the section of lead water service piping from the outlet joint of the curb stop to the outlet of the water meter outlet valve with the exception of the water meter, regardless of the ownership of the property upon which the piping is located.

“Residential Dwelling Unit” means a one, two, three or four family dwelling.

“WSS” means the City’s Water Supply System.

“WSS owned portion of a lead water service line” means the section of lead water service piping from the WSS main to, but not including, the outlet joint of the curb stop.

## **REPLACEMENT REQUIREMENT:**

The City’s WSS shall, at its cost and at no cost to the property owner, replace the residential dwelling unit privately owned portion of a lead water service line whenever:

- a. a leak or failure has been discovered on either the privately owned or WSS portion of the service line; or
- b. the WSS owned portion of the service line is replaced on either a planned or emergency basis.

## **REPAIR OR RECONNECTION PROHIBITED.**

No repair of a residential dwelling unit privately owned lead water service line, or reconnection of a residential dwelling unit privately owned lead water service line to a WSS owned water service line, shall be permitted.

## **EXCEPTION.**

The City Manager or his/her designee may grant a temporary exception to the replacement requirement or the repair or reconnection prohibition if he/she determines that doing so will not create an imminent threat to the health, safety or welfare of the public.

## **NOTICE.**

**Leak or Emergency Replacement.** In the event of a residential dwelling unit lead water service line leak or failure or an emergency replacement of the WSS owned portion of the residential dwelling unit lead water service line, the City Manager or his/her designee shall promptly provide written notice to the residential dwelling unit property owner of the replacement requirement and the property owner shall sign and provide the City with a water service line replacement agreement as hereinafter provided for the privately owned portion of the lead water service line before replacement can begin.

**Planned Replacement.** In the event of a planned replacement of a WSS owned portion of a residential dwelling unit lead water service line, the City Manager and/or his/her designee shall provide at least 30 days written notice prior to the commencement of the planned replacement and the residential dwelling unit property owner shall sign and provide the City with a water service line replacement agreement as hereinafter provided for the privately owned portion of the lead water service line before replacement can begin.

## **WATER SERVICE LINE REPLACEMENT AGREEMENT.**

Before a residential dwelling unit privately owned lead water service line may be replaced the property owner shall sign and provide the City with a water service line replacement agreement on a form provided by the City (a) acknowledging to ownership of the residential dwelling unit, (b) permitting access to the City or its contractor to replace the privately owned lead water service line and any related testing and adjustments during any contractor guarantee period, (c) retaining full ownership, maintenance, repair and replacement for that portion of the privately owned service line and related appurtenances not replaced, and (d) agreeing to assume ownership of the water service line that replaces the privately owned lead water service line and be fully responsible for its ownership and, after the expiration of any guarantee period, its maintenance, repair and replacement.

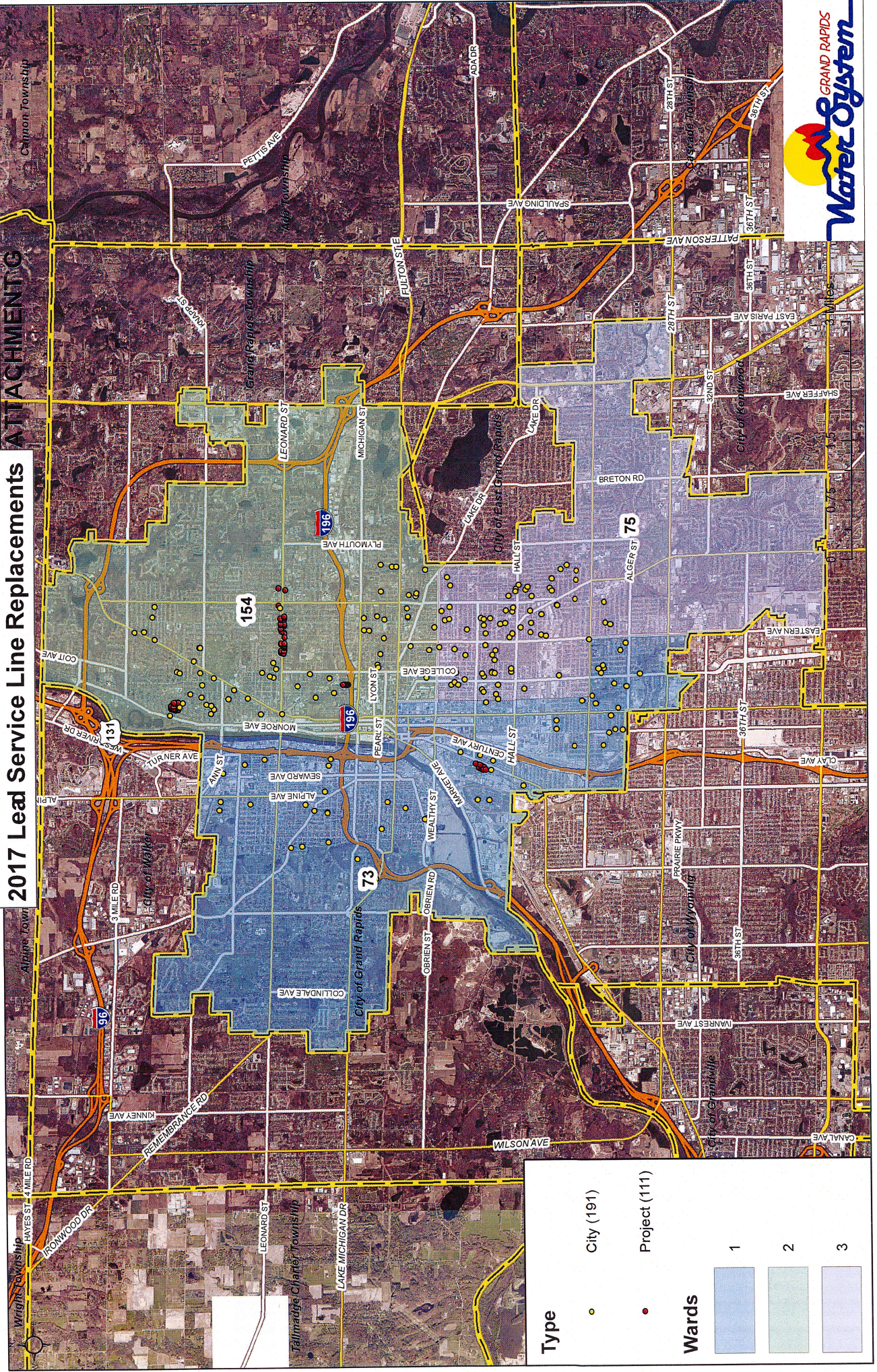
## **FAILURE TO SIGN WATER SERVICE LINE REPLACEMENT AGREEMENT.**

If the City Manager or his/her designee has determined, in accordance with this Administrative Policy, to replace a residential dwelling unit privately owned lead water service line and the property owner of such residential dwelling has declined to sign a water service replacement agreement, (a) the City may, upon notice to the property owner, discontinue water service if the City determines there is an imminent threat to the health, safety or welfare of the public or (b) the City may accept the failure to sign the water service line replacement agreement as an acknowledgement and acceptance of responsibility by the property owner for future replacement of the privately owned portion of the lead service line or (c) the City Manager may request that the City Attorney or special counsel apply for and obtain an appropriate court-issued order authorizing replacement in accordance with the terms in the water service replacement agreement.



# 2017 Lead Service Line Replacements

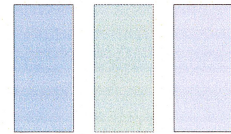
ATTACHMENT C





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# ATTACHMENT I

## Summary of Lead Service Replacements for 2018 and 2019 Construction Seasons

Year	Project	Limits	Ward	Lead Service Replacement			# of lead services
				Public Service Only	Full Service	Private Service Only	
2018							
		Trowbridge to 500' S of					
2018	Lafayette Ave.	Bradford	2	3	24	15	42
2018	Atlas Ave.	Wealthy to Lake	2	0	2	1	3
2018	Century Ave	Franklin to CSX	1	0	3	1	4
2018	Rumsey	Oakland to Grandville	1	0	7	0	7
2018	Dickinson St.	College to Eastern	3	18	32	0	50
2018	College Ave.	Crofton to Dickinson		Included above with Dickinson St.			
2018	Grandville Ave	Franklin to Bartlett	1	1	9	5	15
	Eastside Sewer						
2018	Separation 28B		1	5	76	2	83
	Montrose Ave. &						
2018	Bowne Ave.	Coit to West End.	2	3	36	1	40
2018	Umatilla St.	Madison to Union	3	1	23	1	25
2018	Worden St	Madison to Eastern	3	1	58	7	66
		Totals					
2019							
2019	Hastings Ave.	Fairview to Lafayette	2	0	8	2	10
2019	Lane Ave	Sibley to Jackson	1	0	1	1	3
2019	Alger St	Eastern to Kalamazoo	3	73	6	0	79
2019	Division Ave.	Wealthy to Cherry	1	0	4	1	5
2019	Lake Mich Dr.	Fulton to Garfield	1	1	18	2	23
2019	State	Lafayette to Madison	2				
		Totals					
2020							
2020	Livingston	Hastings to PS	2				30
2020	Valley	4th to Walker	1				

2020	Emerald	Arbor to Leonard	2				9
2020	Allerton	Hall to Adams	3				
2020	Valley	Butterworth to Fulton	1				40
2020	Hovey	Valley to Garfield	3				9
2020	Watson	Valley to Garfield	3				9
2020	Dayton	Valley to Garfield	3				5
2020	Park	Valley to Garfield	3				6
2020	Berkshire St	Giddings to Kalamazoo	3				
2020	Giddings Ave	Shangri-la to Berkshire	3				
2020	Shangri-la St	Giddings to Kalamazoo	3				
2020	Griggs	Plymouth to Hutchinson	3				
2020	Madison	Wealthy to Franklin	3				34
2020	Madison	Cottage Grove to Adams	3				9

290